IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 296 OF 1982

Pfizer Limited & anr .. Plaintiffs

vs

M/s Pharmaton .. Defendant

Mr Amit Jamsandekar i.b Cra. Bayley & Co for Plff

None for Deft

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CORAM: D.G.KARNIK, J

DATE: 30th June, 2005

P.C.

1. Learned counsel for the plaintiff states that as per the information received by the plaintiff the defendant has stopped the user of the trade mark and copyright for many years and has not been used by it. In the circumstances, submits learned counsel that there is no need to continue with the present suit. He therefore prays that he be permitted to withdraw the suit with liberty to file a fresh suit in the event any infringement is

noticed hereafter. Request is reasonable. None present for the defendant. In the circumstances the plaintiff is permitted to withdraw the suit with liberty to file a fresh suit in the event any fresh infringement of trade mark or copy right is noticed.

2. Suit is disposed as withdrawn with liberty to file fresh suit in the event of any fresh infringement of trade mark or copy right.

D.G.KARNIK, J